

***Kenyon & Kenyon  
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New York, NY 10004***

October 30, 2006

Mail Stop 16  
Director of the US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

To Whom It May Concern,

I have been assigned to reconcile the USPTO's Deposit Account against Kenyon and Kenyon's records. Below are charges that are inconsistent with what we believe is true. I would respectfully ask that you reimburse Kenyon and Kenyon's Deposit Account 110600 for these fees listed below. If there is any other information you need, please feel free to contact me at [Jduffy@kenyon.com](mailto:Jduffy@kenyon.com).

14-Sep	256	10701455	12013/48301	1402	\$500.00	Paid and posted on 4/19/08
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Thank You,

*Judy Duffy*  
Judy Duffy



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPELLANT / APPLICANT: Eric B. STENZEL  
SERIAL NO.: 10/701,455  
FILED: November 6, 2003  
FOR: METHOD AND APPARATUS FOR CONTROLLED  
DELIVERY OF ACTIVE SUBSTANCE  
ART UNIT: 3738  
EXAMINER: Gherbi, Suzette J. J.

COMMISSIONER FOR PATENTS  
P. O. Box 1450  
Alexandria, VA 22313-1450

**APPEAL BRIEF**

In accordance with 37 C.F.R. § 41.37, Appellant respectfully submits this Appeal Brief, in triplicate. The Commissioner is authorized to charge the fee of \$ 500.00 under 37 C.F.R. § 41.20(b)(2) to deposit account no. 11-0600.

**Real Party In Interest**

The real party in interest is Boston Scientific Scimed, Inc., assignee of this application. The inventor, Eric B. Stenzel, executed an assignment to Scimed Life Systems, Inc., which was recorded in the U.S. Patent & Trademark Office ("PTO") on November 6, 2003, at reel 014685, frame 0427. Effective January 1, 2005, Scimed Life Systems, Inc., changed its name to Boston Scientific Scimed, Inc. Documentation of that name change was recorded in the PTO at reel/frame 017798/0848.

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Adjustment date: 12/07/2006 SDIRETA1  
09/14/2006 SDENB001 00000148 110600 10701455  
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